

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

MAYNE PHARMA (USA) INC.,

Plaintiff,

V.

AMERICAN PHARMACEUTICAL
PARTNERS, INC., BIGMAR, INC.,
and BIGMAR-BIOREN
PHARMACEUTICALS, S.A.,

Defendants.

C.A. No. 04-1564 -KAJ

NOTICE OF DISMISSAL WITHOUT PREJUDICE

Plaintiff Mayne Pharma (USA), Inc., through its undersigned counsel and pursuant to Fed. R. Civ. P. 41(a)(1)(i), hereby dismisses without prejudice its claims in the above-captioned action against defendants Bigmar, Inc. and Bigmar-Bioren Pharmaceuticals, S.A.

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CERTIFICATE OF SERVICE

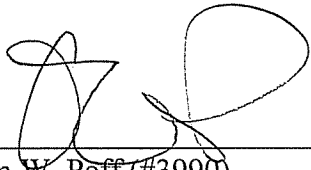
I, Adam W. Poff, hereby certify that I caused copies of the foregoing document to be served on July 7, 2006, upon the following counsel of record in the manner indicated:

BY HAND DELIVERY

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